Notice of Allowability	Application No.	Applicant(s)	
	09/613,997	MAHR, PETER	
	Examiner	Art Unit	
	Michael V Battaglia	2652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *22 September 2004*.

2. ☒ The allowed claim(s) is/are *2 and 4-18 (now renumbered as 2,10,1,3-9 and 11-16, respectively)*.

3. ☒ The drawings filed on *11 July 2000* are accepted by the Examiner.

4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☒ All b) ☐ Some* c) ☐ None of the:
      1. ☒ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Allowable Subject Matter

Claims 2 and 4-18 are allowable over the prior art of record. In regard to claim 5, none of the references of record alone or in combination suggest or fairly teach a disc speed control device for use in a player or recorder of a disc shaped information carrier to read or record data along data tracks, the data being read or recorded using a pick-up, the device comprising: disc actuating means for rotating the disc in a **first mode at a constant linear velocity** or a **second mode at a constant angular velocity**; the pick-up for reading the data from the rotating disc and producing an output signal representative of scanned data from the rotating disc; frequency generating means for generating a rotation speed frequency representative of a rotation speed of the rotating disc; signal processing means for processing the output signal of the pick-up and creating a data frequency signal, the data frequency signal being related to a frequency at which the data is scanned by the pick-up; **a speed processing means for receiving the data frequency signal and computing a determined rotation speed value for said first mode and said second mode** wherein in the first mode the determined rotation speed value further depends on a location of the rotating disc at which the pick-up scans the data; and **speed servo means including a speed comparator used in both the first and second modes for receiving and comparing the rotation speed frequency signal and the determined rotation speed value** and for regulating the disc actuating means in response to the determined rotation speed value.

In regard to claim 12, none of the references of record alone or in combination suggest or fairly teach a disc speed control device for use in a player or recorder of a disc shaped information carrier to read or record data along data tracks, the data being read or recorded using a pick-up, the device comprising: a disc actuator which rotates the disc in a **first mode at a constant linear**

velocity or a **second mode at a constant angular velocity**; the pick-up which reads the data from the rotating disc and produces an output signal representative of scanned data from the rotating disc; a frequency generator which generates a rotation speed frequency representative of a rotation speed of the rotating disc; a signal processor which processes the output signal of the pick-up and creates a data frequency signal, the data frequency signal being related to a frequency at which the data is scanned by the pick-up; **a speed processor which receives the data frequency signal and computes a determined rotation speed value for said first mode and said second mode** wherein in the first mode the determined rotation speed value further depends on a location of the rotating disc at which the pick-up scans the data; and **a single speed servo including a speed comparator used in both the first and second modes, the speed servo receiving and comparing the rotation speed frequency signal and the determined rotation speed value** and regulating the disc actuating means in response to the determined rotation speed value.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael V Battaglia whose telephone number is (703) 305-4534. The examiner can normally be reached on 5-4/9 Plan with 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T Nguyen can be reached on (703) 305-9687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Battaglia

DAVID DAVIS
PRIMARY EXAMINER